

HOUSE BILL 3586
By Jones S

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to school violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This title of this act is, and may be cited as, the "Schools Against Violence in Education Act" or the "SAVE Act".

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, is amended by inserting sections 3 through 11 below as a new, appropriately designated part thereto.

SECTION 3. Each LEA shall adopt a comprehensive district-wide school safety plan and building-level school safety plans regarding crisis intervention, emergency response and emergency management. Such plans shall be developed by a district-wide school safety team and a building-level school safety team established pursuant to this part and shall be in a form developed by the commissioner in consultation with the director of the Tennessee bureau of investigation. An LEA having only one (1) school building shall develop a single building-level school safety plan, which shall also fulfill all requirements for development of a district-wide plan.

SECTION 4. The comprehensive district-wide safety plan required by this part shall be developed by a district-wide school safety team and shall include at a minimum:

- (1) Policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school;
- (2) Policies and procedures for responding to acts of violence by students, teachers, other school personnel as well as visitors to the school;
- (3) Appropriate prevention and intervention strategies such as:

- (A) Collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;
 - (B) Non-violent conflict resolution training programs;
 - (C) Peer mediation programs and youth courts; and
 - (D) Extended day and other school safety programs;
- (4) Policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;
- (5) Policies and procedures for contacting parents or guardians of students in the district in the event of a violent incident;
- (6) Policies and procedures relating to school building security, including, where appropriate, the use of school safety officers, security devices or security procedures;
- (7) Policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors to teachers, administrators, school personnel, parents or guardians, students, and other persons deemed appropriate to receive such information. The information shall include but not be limited to materials regarding the identification of family, community and environmental factors that may precede violent behavior;
- (8) Policies and procedures for annual school safety training for staff and students;
- (9) Protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;
- (10) Strategies for improving communication among students and between students and staff and for improving the reporting of potentially violent incidents. These

strategies may include but are not limited to the establishment of youth-run programs, peer mediation, conflict resolution programs, the creation of a forum or the designation of a mentor for students concerned with bullying or violence and the establishment of anonymous reporting mechanisms for school violence; and

(11) A description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity.

SECTION 5. A school emergency response plan, developed by the building-level school safety team, shall include the following elements:

(1) Policies and procedures for the safe evacuation of students, teachers, other school personnel and visitors to the school in the event of a serious violent incident or other emergency. The policies and procedures shall include evacuation routes and shelter sites, as well as procedures for addressing medical and transportation needs and mechanisms for emergency notification of parents or guardians of a student. The commissioner shall define serious violent incident and outline the requirements for these policies and procedures by regulation;

(2) Designation of an emergency response team comprised of school personnel, local law enforcement officials, and representatives from local, regional or state emergency response agencies, as well as designation of other appropriate incident response teams and a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a violent incident;

(3) Procedures for assuring that crisis response and law enforcement officials have access to floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;

(4) Establishment of internal and external communication systems in emergencies;

(5) Definition of the chain of command in a manner consistent with the national interagency incident management system;

(6) Coordination of the school safety plan with the resources available through the department of mental health and developmental disabilities or a similar local agency to assure that the school has access to federal, state or local mental health resources in the event of a violent incident;

(7) Procedures for review and the conduct of drills and other exercises to test components of the emergency response plan; and

(8) Policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

SECTION 6. Each district-wide school safety team shall be appointed by the commissioner and shall include but not be limited to representatives of the school board, representatives of student, teacher, administrator, and parent organizations, and school personnel including school safety personnel. Each building-level school safety team shall be appointed by the building principal, in accordance with regulations or guidelines prescribed by the commissioner. Such building-level teams shall include but not be limited to representatives of teacher, administrator, and parent organizations, and school personnel including school safety personnel, as well as community members, local law enforcement officials, local ambulance or other emergency response agencies, and any other representatives the commissioner deems appropriate.

SECTION 7. Each safety plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed.

SECTION 8. Each LEA shall make each district-wide and building-level school safety plan available for public comment at least thirty (30) days prior to its adoption, provided that only a summary of each building-level emergency response plan shall be made available for public comment. Such district-wide and building-level plans may be adopted by the LEA only after at least one (1) public hearing that provides for the participation of school personnel, parents, students and any other interested parties. Each LEA shall file a copy of its district-wide comprehensive safety plan with the commissioner and all amendments to such plan shall be filed with the commissioner no later than thirty (30) days after their adoption. A copy of each building-level safety plan and any amendments thereto shall be filed with the appropriate local law enforcement agency and with the Tennessee bureau of investigation within thirty (30) days of its adoption. Building-level emergency response plans shall be confidential and shall not be subject to any open or public records requirements. If the LEA fails to file such plan as required by this section, the commissioner may withhold public money, in an amount determined by the commissioner, from the LEA until the LEA is in compliance.

SECTION 9. The commissioner may grant a waiver of the requirements of this section to any LEA for a period of up to two (2) years from the date of enactment upon a finding by the commissioner that such district had adopted a comprehensive school safety plan on the effective date of this section which is in substantial compliance with the requirements of this section.

SECTION 10. Beginning no later than February 1, 2007, and annually on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly on implementation of and compliance with the provisions of this section.

SECTION 11. An LEA may seek grant funding from the school safety center to assist with compliance with this section according to § 49-6-4302.

SECTION 12. Tennessee Code Annotated, Section 49-6-4301, is amended by inserting the following as new, appropriately designated subsections thereto:

(c) The commissioner, in conjunction with the Tennessee bureau of investigation, shall establish a statewide uniform violent incident reporting system which all LEAs shall follow. The uniform violent incident reporting system shall require all LEAs to report annually to the commissioner, in a form and by a date prescribed by the commissioner, the following information concerning violent and disruptive incidents, as defined by the commissioner, that occurred in the prior school year:

- (1) The type of offenders;
- (2) If any offender is a student, the age and grade of the student;
- (3) The location at which the incident occurred;
- (4) The type of incident;
- (5) Whether the incident occurred during or outside of regular school hours;
- (6) Where the incident involves a weapon, whether the weapon was a firearm, knife or other weapon;
- (7) The actions taken by the school in response to the incident, including when the incident was reported to law enforcement officials and whether disciplinary action was taken against the offenders by law enforcement;
- (8) Any student discipline or referral action taken against a student offender and the duration of such action; and
- (9) The nature of the victim and the victim's age and grade where appropriate.

(d) The commissioner shall require a summary of such information to be included, in a form prescribed by the commissioner, in the annual report published by the commissioner each year pursuant to §49-1-211.

(e) Beginning on or before February 1, 2007, and annually on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly concerning the prevalence of violent and disruptive incidents in the public schools, and the effectiveness of school programs undertaken to reduce violence and assure the safety and security of students and school personnel. The report shall summarize the information available from the incident reporting system, and identify specifically the schools and school districts with the least and greatest incidence of violent and disruptive incidents, and the least and most improvement since the previous year or years.

SECTION 13. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.